

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|-------------------------------|---|------------------------|
| ROBERT ZILLER, |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Civil Action No. 05-82 |
| |) | |
| EMERALD ART GLASS, BOB |) | |
| ZIELINSKI, CRAIG COZZA, |) | |
| ALEX-FORBES AND MURRAY, L.P., |) | |
| and ALEX ENTERPRISES LLC, |) | |
| Defendants. |) | |


ORDER

AND NOW, this *9th* day of February, 2007, after the plaintiff, Robert Ziller, filed an action in the above-captioned case, and after motions for summary judgment were submitted by the plaintiff, by defendants Craig Cozza, Alex-Forbes and Murray, L.P. and Alex Enterprises LLC, and by defendants Emerald Art Glass and Robert Zielinski, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties thirteen days after being served with a copy to file written objections thereto, and upon consideration of the joint objections filed by the defendants and the response to those objections filed by the plaintiff, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 143), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion for summary judgment submitted on behalf of the plaintiff (Docket No. 112) is denied.

IT IS FURTHER ORDERED that the motion for summary judgment submitted on behalf of defendants Craig Cozza, Alex-Forbes and Murray, L.P. and Alex Enterprises LLC (Docket No. 117) is granted with respect to Craig Cozza and denied in all other respects.

IT IS FURTHER ORDERED that the motion for summary judgment submitted on behalf of defendants Emerald Art Glass and Robert Zielinski (Docket No. 124) is denied.



Gary L. Lancaster
United States District Judge